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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/586,433	11/26/2008	Matthias Prinz	N81818LPK	5606
1333 7590 11/04/2009 EASTMAN KODAK COMPANY PATENT LEGAL STAFF 343 STATE STREET ROCHESTER, NY 14650-2201			EXAMINER MORRISON, THOMAS A	
			ART UNIT 3653	PAPER NUMBER
			MAIL DATE 11/04/2009	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Notice of Non-Compliant Amendment (37 CFR 1.121)

Application No.

10/586,433

Examiner

THOMAS A. MORRISON

Applicant(s)

PRINZ, MATTHIAS

Art Unit

3653

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 31 July 2009 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☐ C. Other \_\_\_\_\_.
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other \_\_\_\_\_.
- ☐ 3. Amendments to the drawings:
- ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
  - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
  - ☐ C. Other \_\_\_\_\_.
- ☒ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
  - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims).
  - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☒ E. Other: See Continuation Sheet.
- ☐ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):  
\_\_\_\_\_

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

## TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action. If any of above boxes 1. to 4. are checked, the correction required is only the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121.

**Extensions of time** are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

**Failure to timely respond** to this notice will result in:

**Abandonment** of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or

**Non-entry** of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

/Patrick H. Mackey/  
Supervisory Patent Examiner, Art Unit 3653

The amendments to the claims in the amendment dated 7/31/09 do not match up with the text of the previous set of claims dated 5/31/08. As one example, line 3 of claim 8 in the amendment dated 7/31/09 recites ", sheets of printing material" with the "comma" shown underlined. More specifically, the "comma" is shown underlined indicating that this comma was added by this amendment. However, this is incorrect in that this comma was already present in line 2 of the previous claim 8 dated 5/31/09 before the term "sheets". Thus, this comma should not be shown underlined, because it is not being added by the amendment dated 7/31/09. Rather, this comma was already present in previous claim 8 dated 5/31/08. As another example, line 2 of claim 11 in the amendment dated 7/31/09 recites the term "controlable" with only one letter "L". On the other hand, this term was previously written as "control-lable" with the letter "L" included twice in this term in previous claim 11 dated 5/31/08. As such, the amendment dated 7/31/09 should show this correction in spelling of the term "controlable" via strikethrough of one letter "L". However, this spelling correction is not shown in the amendment dated 7/31/09. As such, the amendment dated 7/31/09 is non-compliant and has not be considered by the examiner. A new amendment is needed that shows amendments to the claims that match up with the text of the previous set of claims dated 5/31/08.